In re Marcus L. Murphy Filed: January 2, 2004

Page 2

REMARKS

This response is submitted in reply to the Official Action dated August 26, 2004 ("the Action"). In the Action, the Examiner required an election from the following species:

Species A. Figures 3-7

Species B. Figures 8-10

Applicant hereby elects, without traverse, Species A. The Action also requested that Applicant identify on which claims this species is readable. Applicant submits that all currently pending claims are readable on the elected species.

Applicant respectfully submits that this application is now in condition for substantive examination, which action is requested.

If any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor. The Commissioner is hereby authorized to charge any additional fee, which may be required, or credit any refund, to our Deposit Account No. 50-0220.

Respectfully submitted,

James R. Cánnon

Registration No. 35,839

Myers Bigel Sibley & Sajovec, P.A.

P. O. Box 37428

Raleigh, North Carolina 27627

Telephone: (919) 854-1400 Facsimile: (919) 854-1401

Certificate of Mailing under 37 CFR 1.8 (or 1.10)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 3, 2004.

Joyce Pag